



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

PLANNING DIVISION

Board Members Present:

Herbert F. Foster, Jr., Chairman
Orsola Susan Fontano, Clerk
Richard Rossetti
Danielle Evans
T.F. Scott Darling, III, Esq.
Elaine Severino (Alt.)
Josh Safdie (Alt.)

Staff Members Present:

Lori Massa

AGENDA MINUTES

Zoning Board of Appeals

Aldermanic Chambers, 2nd Floor, City Hall, 93 Highland Avenue
Wednesday, February 17, 2010
DECISIONS 6:00 P.M. followed by New HEARINGS

Previously Opened Cases that were Heard

73 Highland Road (Case #ZBA 2009-55)	
Applicant:	Christian MacDonald
Property Owner:	Christian MacDonald
Agent:	N/A
Legal Notice:	Applicant & Owner, Christian Macdonald, seeks a Special Permit under SZO §4.4.1 in order to construct a dormer within the non-conforming side yard (§8.5.H). The applicant also seeks a Variance under SZO §5.5 in order to construct a dormer that exceeds fifty (50) percent of the length of the sloping roof to which it is attached creating a non-conforming third floor. RA zone. Ward 5.
Date(s) of Hearing(s):	12/16, 1/6/10, 1/20, 2/3, 2/17
Planning Board Action:	Recommends conditional approval on the special permit but was unable to approve the Variance.



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ZBA Action:	Voted on February 17, 2010 to continue the application to March 17, 2010 in order to readvertise.
The Applicant appeared and presented new plans and explained the changes. The new plans do not require a variance. Susan Fontano made a motion to continue the application to March 17, 2010 in order for the legal notice to be re-advertised to accurately reflect a change to the plans. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

12 Prospect Hill Avenue (Case # ZBA 2009-62)	
Applicant:	Eric Fellingner
Property Owner:	Eric Fellingner
Agent:	N/A
Legal Notice:	Applicant & Owner, Eric Fellingner, seeks a Special Permit under SZO §4.4.1 in order to construct 200 sf of living space in the structure that is non-conforming in terms of Floor Area Ratio (§8.5.E). RA zone. Ward 3.
Date(s) of Hearing(s):	1/20, 2/3, 2/17
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 17, 2010 to approve the Applicant's request for a special permit.
The Applicant appeared to answer questions. Chairman Foster stated that members conducted site visits and he did not see anything out of the ordinary. Susan Fontano felt the room was adequate. Susan Fontano made a motion to approve the Applicant's request for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Elaine Severino voting for Danielle Evans.	

Previously Opened Cases that Requested a Continuance

15 Weston Avenue (Case #ZBA 2009-52)	
Applicant:	Clearwire
Property Owner:	Somerville Housing Authority
Agent:	
Legal Notice:	Applicant, Clearwire and Owner, Somerville Housing Authority, seeks a Special Permit under SZO §7.11.15.3 in order to replace, relocate and install wireless communications equipment. RB/NB zone. Ward 7.
Date(s) of Hearing(s):	2/3, 2/17
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on February 17, 2010 to approve the Applicant's request for a continuance to March 3, 2010.
Susan Fontano made a motion to grant the Applicant's request for a continuance to March 3, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

119 College Avenue (Case #ZBA 2009-66)	
Applicant:	Clearwire
Property Owner:	Powder House Realty
Agent:	Lisa Ann Bera



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Legal Notice:	Applicant, Clearwire and Owner, Powder House Realty, seeks a Special Permit under SZO §7.11.15.3 in order to install wireless communications equipment. RB zone. Ward 6.
Date(s) of Hearing(s):	2/3, 2/17
Planning Board Action:	No Planning Board report at this time.
ZBA Action:	Voted on February 17, 2010 to approve the Applicant's request for a continuance to March 3, 2010.
Susan Fontano made a motion to grant the Applicant's request for a continuance to March 3, 2010. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0.	

New Cases that were Opened and Heard

44-48 Third Avenue (Case #ZBA 2010-01)	
Applicant:	APCA Third Avenue, LLC
Property Owner:	APCA Third Avenue, LLC
Agent:	WilmerHale, LLC
Legal Notice:	Applicant, and Owner, APCA Third Avenue LLC, seeks a Special Permit with Site Plan Review under SZO §7.11.11.10.b in order to establish an indoor parking/storage facility for federally confiscated vehicles. IA zone. Ward 6.
Date(s) of Hearing(s):	2/17
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 17, 2010 to approve the Applicant's request for a Special Permit with Site Plan Review.
Agent Michele Mulvaney appeared and stated the proposed project. Scott Darling recused himself because of his work with the MBTA. The issues of traffic and hours of operation were discussed. Elaine Severino stated that the area is industrial and bringing in vehicles at off hours would not be a disruption to the neighborhood. The agent stated that there would be approximately 10 cars brought in per week by flat bed or driven in. Susan Fontano made a motion to approve the Applicant's request for a Special Permit with Site Plan Review. Josh Safdie seconded the motion. Upon a vote, the motion passed unanimously 5-0 with Josh Safdie voting for Scott Darling.	

230-236 Highland Avenue (Case #ZBA 2010-02)	
Applicant:	David Farmer
Property Owner:	Somerville Hospital
Agent:	William Croteau, AIA
Legal Notice:	Applicant, David Farmer, AIA, & Owner, Somerville Hospital, seeks a Special Permit under SZO §4.4.1 to construct a 3,500± sf addition to the Medical Arts Building, a Special Permit under SZO § 4.5.1 & 4.5.3 to change and expand the non-conforming use to 45,000± sf of office (§7.11.7.1.c), and a Special Permit for modification of parking requirements for 6 parking spaces (§9.13). RA zone. Ward 3.
Date(s) of Hearing(s):	2/17
Planning Board Action:	Recommends conditional approval.
ZBA Action:	Voted on February 17, 2010 to approve the Applicant's request for a special permit.



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Allison Bayer, David Farmer and William Croteau appeared and explained the project. The issues of the physical changes of the building, hours of operation and parking were discussed. The ZBA added a condition regarding the valet service. Susan Fontano made a motion to approval the Applicant's request for a special permit. Scott Darling seconded the motion. Upon a vote, the motion passed unanimously 5-0

Other Business None

A recording of this meeting may be obtained in the Planning Division.



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